

**REQUEST FOR PROPOSALS  
SSA/KC 09-001-S  
KINSHIP CARE RESOURCE CENTER  
QUESTIONS AND RESPONSES  
July 15, 2009**

**Part 3**

30. Question: Under section 3.5 (Personnel) of the RFP, each position indicates that a criminal background check must be completed. If the criminal background check reveals that there is something, are these individuals automatically excluded from employment or does it depend upon what is found? If it depends on what is found in the criminal background check, what would be considered acceptable for employment purposes? For example, there could be a prior assault against another adult 5-10 years ago. Should this person be excluded from employment although the incident happened 5- 10 years ago and the assault was against an adult and not a child?

**Response: Please refer to Section 07.05.01.09 A-D of the Code of Maryland Regulations (COMAR) for guidance regarding criminal background checks for individuals who will be employed in close proximity to children. COMAR states in part, that the applying employee, volunteer, or governing board member shall be rejected if:**

- (1) The applicant refuses to consent to a required criminal background investigation and child protective services clearance;**
- (2) The applicant has an indicated child abuse or neglect finding; or**
- (3) A criminal background check reveals that an applicant has had a felony conviction for:**
  - (a) Abuse or neglect, spousal abuse, any crime against children, rape, sexual assault, or homicide; or**
  - (b) Physical assault, battery, or a child drug-related offense in the 5 years before the application date.**

**You may also refer to of the Annotated Code of Maryland – Family Law Article § 5-560-568 for additional information concerning criminal background checks for individuals who will be employed in close proximity to children.**

